

Washington, D.C. 20505

Intelligence Community Staff

IC 78-0005

19 April 1978

STAT      MEMORANDUM FOR:      The Director of Central Intelligence

FROM:      [redacted] Deputy to the DCI for  
Resource Management      [redacted]

SUBJECT:      Designation of INR and other agencies as elements  
of National Foreign Intelligence Program

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As we discussed last Friday, Executive Order 12036 names as elements of the NFIP only the programs of the CIA, the CCP, the GDIP, and collection programs within DoD. The Executive Order does provide that other programs can be designated as part of NFIP. Such designation has not taken place. This means that INR, FBI foreign counterintelligence, Treasury's Office of Intelligence Support, DOE intelligence programs, and the Department of Defense's foreign counterintelligence programs are not technically part of the NFIP until so designated. The attached memoranda signed by you and the relevant department heads will serve to do that. If DEA intelligence elements are to be put in the NFIP, the same procedure would be necessary also.

At present only State Department has specifically raised the question of whether designation must be completed before they are members of NFIP. As I mentioned to you, the question came up in connection with their response to draft regulations implementing the Executive Order. It is possible that raising the issue with the other departments would open some troublesome issues. The Justice Department, for example, could use the occasion to raise once again its objections to the current practice of having the FBI foreign counterintelligence budget sent directly to us without prior review by the DOJ comptroller. The only alternative to designation by you and the various department heads, however, would be confirmation by the President that these intelligence elements are all part of the NFIP, as was the case under E.O. 11905. I agree with you that that would seem high-handed.

Pursuant to Section 4-210(c) of Executive Order 12036, we jointly designate the Foreign Counterintelligence Program of the Federal Bureau of Investigation as a program within the National Foreign Intelligence Program.

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Director of Central Intelligence

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U.S. Attorney General

Pursuant to Section 4-210(c) of Executive Order 12036, we jointly designate the Bureau of Intelligence and Research of the Department of State as a program within the National Foreign Intelligence Program.

Director of Central Intelligence

Secretary of State

Pursuant to Section 4-210(c) of Executive Order 12036, we jointly designate the foreign counterintelligence programs of the Department of Defense as a program within the National Foreign Intelligence Program.

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Director of Central Intelligence

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Secretary of Defense

Pursuant to Section 4-210(c) of Executive Order 12036, we jointly designate the Office of Intelligence Support of the Department of the Treasury as a program within the National Foreign Intelligence Program.

Director of Central Intelligence

Secretary of the Treasury

Pursuant to Section 4-210(c) of Executive Order 12036, we jointly designate the foreign intelligence programs of the Department of Energy as a program within the National Foreign Intelligence Program.

Director of Central Intelligence

Secretary of Energy

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